

**NATIONAL STRATEGY FOR REINTEGRATION OF REPATRIATED PERSONS IN  
KOSOVO**



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Prishtina, October 2013

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## List of Abbreviations

CA	Commission for Appeal
CAP	Common Agriculture Policy
CCR	Central Commission for Reintegration
EU	European Union
DRRP	Department for reintegration of repatriated persons
IOM	International Organization for Migration
MCR	Ministry of Communities and Return
MESP	Ministry of Environment and Spatial Planning
MF	Ministry of Finance
MFA	Ministry of Foreign Affairs
MH	Ministry of Health
MLGA	Ministry of Local Government Administration
MEST	Ministry of Education, Science and Technology
MAFRD	Ministry of Agriculture, Forestry and Rural Development
MoD	Ministry of Diaspora
MOCR	Municipal Office for Communities and Returns
MIA	Ministry of Internal Affairs
MLSW	Ministry of Labour and Social Welfare
MRC	Municipal Reintegration Commission
MTEF	Mid-term expenditure Framework
OSCE	Organization for Security and Co-operation in Europe
PIA	Prishtina International Airport
SMPP	Statement of Mid-Term Priorities Policy
SOP	Standard Operating Procedures
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Emergency Fund
UNMIK	United Nations Interim Administration Mission in Kosovo

## Chapter I - Executive Summary

The policies of the Government of Kosovo in the field of migration and reintegration of repatriated persons represent an important aspect in the relationship of the Republic of Kosovo with EU Member States<sup>1</sup> within the commitment of the Government of the Republic of Kosovo (hereinafter Government) for visa liberalization and accession to the European Union.

The National Strategy for Reintegration of Repatriated Persons, hereinafter referred as Reintegration Strategy, is a strategic document that describes policies and measures that should be taken in order to ensure sustainable reintegration for repatriated persons specifically focusing on the main areas of civil registration, health, education, employment, social welfare and housing. It also provides an institutional framework for the management of reintegration of repatriated persons, it defines roles and responsibilities of central and local institutions in each phase of the entire reintegration process, and determines the procedures and mechanisms of coordination in order to treat and promote the rights of repatriated persons.

For a successful implementation of the Reintegration Strategy, an Action Plan has been drafted, which reflects all concrete measures of action for all institutions responsible for its successful implementation. The Action Plan determines specific activities that should be taken by respective institutions at the central and local level. The Action Plan contains general and specific objectives, concrete activities for their achievement; determines the responsible and supporting institutions for the achievement of each objective and activity; specifies the timeframe for achievement of each objective and activity; determines necessary financial costs for the implementation of the activities and measurement indicators for the achievement of each objective and activity.

Reintegration strategy aims to influence and encourage the citizens and business to apply the practices that contribute to the sustainable reintegration.

The overall goal of the Reintegration strategy is strengthening of well structured, independent, fully functional and professional mechanisms for a sustainable reintegration of repatriated persons in central and local level.

In order to achieve the overall goal, the Government will:

- Draft and implement a comprehensive legal framework;
- Strengthen the existing institutional structures at central and local level;
- Strengthen and implement effective horizontal and vertical coordination and communication mechanisms;
- Functionalize the Case management System (CMS)
- Decentralize competences and resources towards the local level;
- Provide adequate human resource capacities;
- Guarantee that sufficient funds are available and that functional mechanisms for their disbursement are in place;
- Ensure avoidance of positive discrimination, while specific services are offered only for certain categories in harmony with the legislation in power;
- Encourage the cooperation between public structures and civil society in drafting and implementing specific programs for facilitating the sustainable reintegration of repatriated persons

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<sup>1</sup> EU MS were the destination of the majority of emigrants from Republic of Kosovo.

- Increase awareness through public campaigns;
- Ensure equal treatment for all repatriated persons by taking into consideration their specific needs;
- Strengthen the effective system of monitoring and reporting

The Reintegration Strategy is structured in ten chapters. The first chapter presents the executive summary describing the goals of the Reintegration Strategy. The second chapter presents the relation of the Reintegration Strategy with the Government's priorities and the reasons for initiating of the Reintegration Strategy. The third chapter presents the methodological bases applied during the drafting of the Reintegration Strategy. The fourth chapter presents the Background, Migration, Reintegration and Situation Analyses. The fifth chapter presents the Strategic framework regarding its Vision, Mission and Objectives that will be elaborated in the Action Plan with specific activities and measurable indicators for their fulfilment. The sixth chapter presents the reviewed alternatives in this document. The seventh chapter reflects relevant institutional framework. The eighth chapter presents the Reintegration Program, Funds and Case management system (CMS). The ninth chapter presents the monitoring and evaluation of implementation. The tenth chapter elaborates on the various awareness campaigns. The Annexes present the additional information related to definitions and National legislation.

The Reintegration Strategy recognizes the contribution of potential donors and the civil society in providing reintegration services for repatriated persons and encourages their cooperation with state institutions for this purpose.

The Reintegration Strategy will be implemented for the period of 5 years within the time frame of (2013-2017); and the Action Plan includes activities and the approximate financial costs for the period of 3 years (2014 - 2016) with the possibility of an annual review and update.

## **Chapter II - Introduction**

This Reintegration Strategy is in compliance with the general priorities of the Government including the obligations deriving from the Visa Liberalization Process and other international obligations and ensures the consistency among them.

The Government of the Republic of Kosovo is committed to create and establish all relevant conditions for a successful and sustainable reintegration of repatriated persons and implementing necessary reforms in order to fulfil all criteria for the integration into the European Union.

In its Governmental program 2011-2014, the Government has identified this as a priority for fully functionalizing all mechanisms for the sustainable reintegration of repatriated persons and guaranteeing the sintegration of citizens who return to Kosovo. The reintegration process is reconfirmed as a priority also in the Statement of Mid-term Priority Policies (SMPP) 2014 - 2016 as well as in the Mid-term Expenditure Framework (MEF) 2014 - 2016. After the receipt of the Visa Liberalization Roadmap, where the need was identified for reviewing the Reintegration Strategy and Action Plan, the Government of Kosovo has foreseen the revision of both and its approval in the Government Annual working plan for 2013 and the plan of strategic documents of 2013.

The Action Plan for negotiation of the Agreement on Stabilization and Association has identified the revision of the Reintegration Strategy. Reintegration Strategy and the Action Plan 2013-2017 fulfils the Action 6 of the criteria 3.62 of this agreement.

The Reintegration Strategy and the Action plan for the reintegration of repatriated persons fulfil the Action 9.1 of the Action Plan for implementation of Visa Liberalization Roadmap. After entering into force of this Reintegration Strategy and with the regular (quarterly) monitoring reports on the implementation of activities of the Action plan, the Republic of Kosovo fulfils an important part of the criteria related to reintegration.

The Reintegration Strategy covers all phases of the return process, from the moment of readmission to the distribution of assistance in different areas and aimed at achieving full sustainable legal, political, social and economic reintegration. All activities will be described in detail in a further section of this document, but they can be categorized into three main groups in order to present the scope of the Reintegration Strategy:

- The **readmission phase**, managed by the Division for Readmission of the Department of Citizenship Asylum and Migration (DCAM) of the Ministry of Internal Affairs (MIA) and by Border Police;
- **Assistance provided at the central level**, managed by the Department for Reintegration (DRRP) of the MIA with the involvement of other ministries;
- **Assistance provided at the municipal level**, managed by local authorities under the coordination of Municipal Offices for Communities and Return (MOCRs) and the overall supervision of the DR.

## Chapter III - Methodology

The Reintegration Strategy reflects developments in the reintegration process and takes into consideration various lessons learned during the process, gaps and challenges identified during monitoring, criteria deriving from European integration process, and it incorporates best practices for the reintegration process.

In drafting the Reintegration Strategy and Action Plan there were consulted documents of Governmental policies in the migration field, relevant actors (See Chapter VII) and the local and international stakeholders.

All requirements from the Roadmap for Visa Liberalization, recommendations derived from the progress report of the European Commission of 8<sup>th</sup> February 2013 on the progress of Kosovo in fulfilment of the requirements deriving from the Roadmap on Visa Liberalization, and the Action Plan for negotiation of the Agreement on Stabilization Association were taken into consideration in drafting the Reintegration Strategy.

The Government of the Republic of Kosovo appreciates the contribution of European Commission, UNDP, UNHCR, OSCE, IOM, UNICEF and other local and international actors for the support provided in drafting of this Strategy.

The Reintegration Strategy was drafted inter-alia, based on the following principles:

# National Strategy for Reintegration of Repatriated Persons in Kosovo

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**Sustainability:** All activities planned guarantee a sustainable reintegration in the long run in financial and environmental terms and they are in compliance with international development standards and planned in the mid-term expenditure framework (MTEF).

**Addressing of challenges:** Regular situational analysing in identifying gaps and needs addressed in strategic and specific objectives. Particular attention was paid to the increase of municipal capacities, both in human resources and technical equipment, functionalizing of the Case Management System, strengthening of cooperation and coordination with other involved stakeholders, emphasized support to vulnerable groups, and decentralization of administrative competences and resources.

**Harmonization of the assistance and Principle of equality:** Harmonization of assistance provided to repatriated persons is understood as coordination of services, and support coming from the return and reintegration programs from donations and the Government of the Republic of Kosovo, including the mutual exchange of data. Principle of equality mainly consists of the improvement of informing of repatriated persons on the existing public services where to which all citizens of Kosovo have access according to the legislation in power. Specific services are provided only for vulnerable groups through specific projects/ programs drafted and implemented with the support of different donors.

During the Reintegration process, specific attention will be paid to:

The main particularly vulnerable categories of returnees that will be given special attention are:

- Single mothers
- Children with no family care and abandoned children
- Children without parental care and abused and mistreated children
- Protection of children with special needs with a special emphasise to minorities;
- Ies, Ashkali, Egyptians and other minorities in the municipal level;
- Elderly persons without family care
- People with mental disability and without family care
- Families with poor economic conditions
- Victims of human trafficking

Special programs will be applied for victims of trafficking, in harmony with the Legislation in force and the National Strategy and the Action Plan against Trafficking of human beings 2011-2014. Special attention will be paid also to Roma, Ashkali and Egyptian communities, particularly in supporting and assistance in civil registration, inclusion in education and resolving of housing issue.

**Flexibility and beneficiary participation:** Along with the standardisation of steps, activities, procedures and services that is necessary for an effective and efficient management of the return process, a high degree of flexibility must also be adopted in providing assistance.

**Incorporation:** All repatriated persons regardless of age, gender, ethnicity, religion and race will be included in the reintegration process. The assistance and support from the reintegration program is provided to repatriated persons according to the criteria set out by the legislation in force.

## Chapter IV - Background

### IV.1. Migration

Trends in, and causes of migration from Kosovo have changed over decades<sup>2</sup>. Prior to 1998/1999 Kosovars emigrated mainly for political and socio-economic reasons, especially during the 90's.

During the war, apart from displacement of citizens inside the territory of Kosovo, hundreds thousands had to leave the country and flee toward the countries in the region, in particular to Albania and Macedonia. Majority of them returned back, after the end of the war but there are still thousands of Kosovars displaced in the neighbouring countries. In addition, a large number of them found shelter in Western European countries. The migration trend has continued and it is still continuing for different reasons. Migrants without legal status of stay in Western countries must be repatriated, whether voluntarily or involuntarily.

The Government of the Republic of Kosovo promotes legal migration with the intention of facilitating of travelling to EU MS and benefiting from programs of circular migration, that facilitates circulation of citizens between Republic of Kosovo and EU MS legally, by including migration with purposes of studies, seasonal employment, exchange of experiences and different training courses.

The Government of the Republic of Kosovo undertook several initiatives in the area of migration by establishing the legal frame of migration in alignment with EU legislation. There were approved strategic documents such as: the National Strategy and Action plan on Migration 2013-2018; the National Strategy and the Action Plan 2012-2017 of the Republic of Kosovo against Organized Crime; the National Strategy and the Action Plan 2009-2012 of the Republic of Kosovo on Prevention of Crime; the National Strategy of the Republic of Kosovo on Integrated Border Management 2012-2017; and the National Strategy and Action Plan Against Human Trafficking 2011-2014.

### IV.2. Readmission and Repatriation

Few years after the international management of the return process managed by UNMIK, since 2008 the entire responsibility has been transferred to the Government of Republic of Kosovo.

The Government of the Republic of Kosovo has built necessary legal and institutional mechanisms for a successful management of the repatriation and return process while respecting the dignity of citizens with the origin from Kosovo.

During the period from 2010 until mid of 2013, 15,934 persons from different countries. The number of forcibly returned persons is higher in comparison to the number of persons who returned voluntarily. From the overall number, 64% were readmitted by force and 36% returned voluntarily. Viewed by countries, returnees come from: 17.6% from Germany, 15.4% from Switzerland, 14.4% from Sweden, 10.9% from Austria, 9% from Belgium, 8.4% from France, 8.3% from Hungary, 3.8% from Norway, 2.6% from Finland, 1.4% from Luxemburg, 1.3% from Croatia, etc. The majority of readmitted persons (both voluntarily and involuntary), are originally from Gjilan, Mitrovica and

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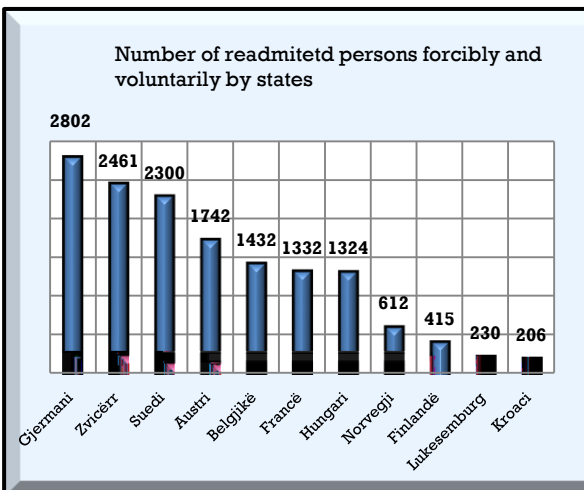
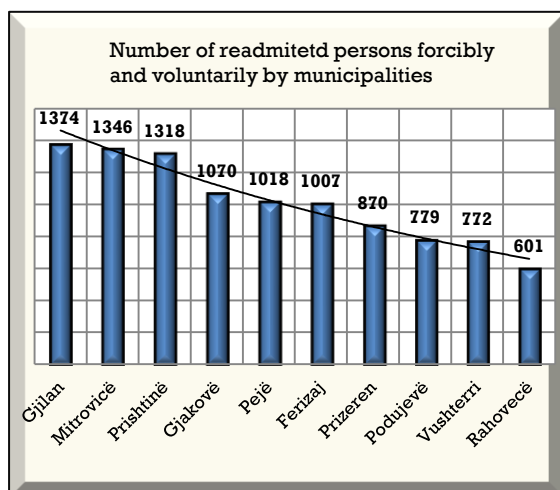
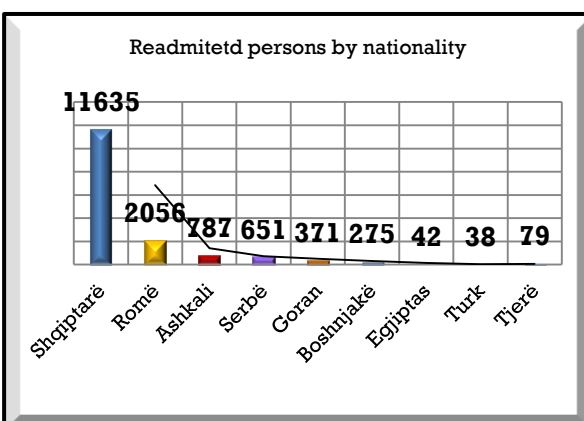
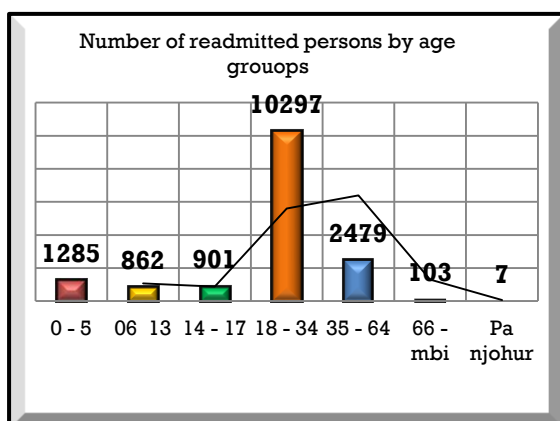
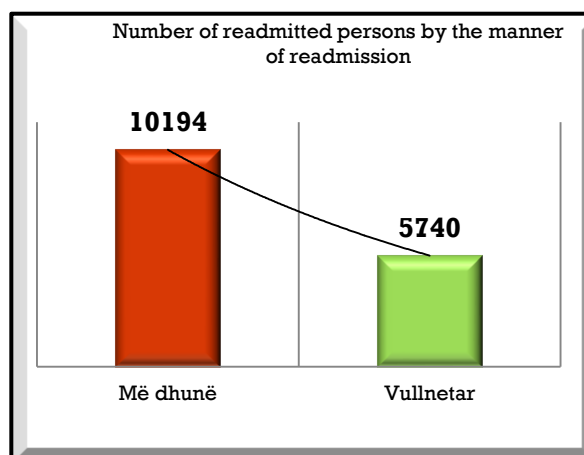
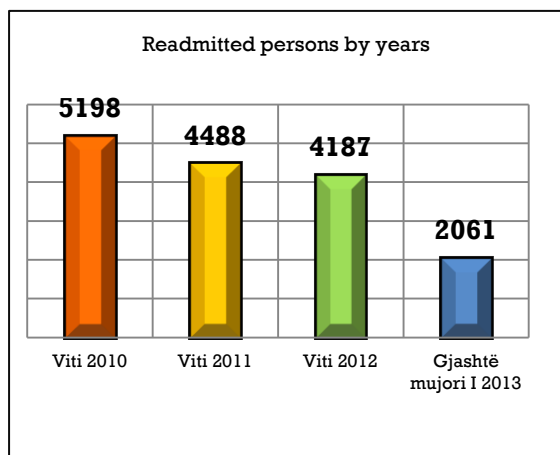
<sup>2</sup> See UNDP Kosovo study for Remittances 2012  
([http://www.kosovo.undp.org/repository/docs/KRS2012\\_English\\_858929.pdf](http://www.kosovo.undp.org/repository/docs/KRS2012_English_858929.pdf)).



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Prishtina. Viewed by age groups, readmitted persons are mainly between 18 - 34 years and male gender dominates. Viewed by ethnicity, readmitted persons are mainly of Albanian nationality, followed by Roma, Ashkali, Egyptians, Serbian nationality etc.

Data on the profile of readmitted persons presented for the period 2010, 2011, 2012 and the first six months of 2013



The need for reintegration support was recognised as a result of the repatriation of a large number of persons who have been living for a long time outside Kosovo.

The reintegration process consists of providing assistance and support to repatriated persons, both at the central and local level, starting from the emergency assistance, access to public services and others, aiming to a sustainable return. During 2012 there were supported 2,945 repatriated persons by the reintegration program who have been benefited of different schemes.

### **IV.3. Situational Analyses**

Strengths, weaknesses, opportunities and threats during the reintegration treatment were analysed and identified in document.

The Constitution of the Republic of Kosovo and legislation are in alignment with international standards and present the legal framework that regulates all aspects of civilian and political life of Kosovo citizens. The practices transferred by International Institutions, which have managed the repatriation process for a long time, have facilitated the establishment of operational mechanisms and procedures by local institutions.

The Government of Republic of Kosovo as of 2007 has prepared and approved the policy framework for reintegration of repatriated persons, has approved the Strategy, Action Plan and the Regulation for Management of the Program for Reintegration of Repatriated Persons. In September 2010, the Government established the Reintegration Fund for supporting the sustainable reintegration of repatriated Kosovo citizens in dedicating budget of 500,000 Euros in 2010; 3,420 150 Euros in 2011; 3,170 150 Euros in 2012 and the same amount was allocated for 2013. International organisations are still very active in providing technical assistance, consultancy and advise, what supports the local institutions. However, the large number of repatriated persons to be reintegrated into the society presents a huge challenge for Kosovo institutions and therefore existing capacities shall be strengthened in all aspects. Health, education and social systems require significant capacity building in order to increase quality standards related to areas of health, enrolment of children in schools and providing additional classes, inclusion into social schemes, professional training, and employment.

The reintegration process of repatriated persons also requires huge financial costs and is an additional challenge for the Government of Republic of Kosovo. Assistance and support provided for repatriated persons, in addition to basic services, includes also housing, reconstruction/renovation of destroyed/demolished houses, funding of projects for generating own revenues, and other types of assistance and support.

Repatriated persons face difficulties to generate revenues in short-term period, what results in an increase of the number of persons dependent on social schemes, which even burdens more the budget of Kosovo. In order to have a successful process of reintegration of repatriated persons it is important to create possibilities for professional training courses, possibilities for employment or initiation of profitable activities for income generation through the development of business plans.

Many actors are involved in the reintegration process, both at central and local level. In order to provide services in an effective and efficient manner, a mutual coordination and cooperation is necessary between all actors involved in the reintegration process, including international organizations and the civil society.

Strengthening of capacities, horizontal and vertical coordination mechanisms, monitoring and reporting system, with a special emphasis in functionalizing of the Case management system, present additional challenges to which was paid a special attention in this strategy.

Repatriated persons may bring with them skills and resources they have gained during the time of their stay in developed countries and they can apply/invest them. It is necessary to build these capacities in order to preserve any benefit from them and transfer them into a driving factor for the overall development of Kosovo.

However, repatriated persons in most of the cases face the challenges that impede their sustainable reintegration. Repatriated persons, in most of the cases, restart their life with few resources of their own, or totally depending on social schemes. Thus, provision of the sources (generation) of their own income for repatriated persons, is very important for their sustainable reintegration.

Regardless the economic growth achieved during the past years, the country is still facing many challenges, with an unemployment rate of 35.1%, inflation over 2.5%, low export level, steel weak private sector and limited foreign investments.<sup>3</sup>

### **IV.3.1. Personal documentation and certification issues**

Kosovo citizens may apply for acquiring civil status documents, identification card and passport of Republic of Kosovo in harmony with the legislation in power. Possessing documents certifying one's identity is essential in order to access public services and enjoy civil and political rights. No proof of identity means not any access to citizenship and *de facto* statelessness, no access to social benefits, health care, education and employment opportunities. The repatriated persons face more obstacles regarding this issue. Lack of basic documents for issuing of personal documents many times presents a serious challenge for the sustainable reintegration.

### **IV.3.2. Health system**

Repatriated persons are provided with primary, secondary and tertiary medical assistance equally as to all citizens of the Republic of Kosovo.

Kosovo Health system represents a challenge for a number of tertiary services (e.g. cardiac-surgery, oncology, poly-traumatic, transplants, serious mental disorder). Repatriated persons suffering from serious illnesses, who were treated at sending countries, do not get the same treatment after arrival.

Comparing to other Kosovo citizens, returnees are in a more difficult situation, as they may not be in the position to access free health care due to the problems with necessary documentation.

### **IV.3.3. Housing issues**

Housing is a social right of citizens in most of the developed countries because this is crucial for health and qualitative living. The right on housing is more and more present in global policies and for human rights, also sanctioned with international conventions.

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<sup>3</sup> Kosovo Statistics Agency, [www.ks-gov.net](http://www.ks-gov.net)

After the war the number of damaged houses in Kosovo was 120.000 where 45.000 of them were assessed as totally damaged. International donors reconstructed around 60.000 houses until 2002. Central and local institutions also have implemented projects for reconstruction of houses and construction of buildings for housing with rent, but the registered demands for housing in municipalities are still high as the result of a considerable number of demolished houses, numerous social cases, internal migration, changing in the family structure and high prices of real estate properties.

The municipalities provide sheltering through three-years programs for housing, apartments with rent, including apartments built by the municipalities, government and donors.

Based on the current situation of repatriated persons, in most of the cases they require emergent/temporary housing and provision of rented housing (housing bonus) from the Fund for Reintegration.

The sustainable housing program still remains as a challenge due to the lack of capacities at the local level.

### **IV.3.4. Access to education**

All Kosovo citizens have the right to access the educational system in harmony with the legislation.

Many returnees have spent a considerably long period of time abroad and some were even born and educated in the countries from which they return. For young people, and particularly children, this often means that they are not proficient in either of the official languages of Kosovo (Albanian and Serbian), which results in difficulties in accessing education, training and employment upon return. Access to social and medical assistance, as well as to all services offered by public offices, is difficult for those who cannot communicate in one of the official languages.

Another problem is the lack of documents (certificates/diplomas) to prove the level of education in the host countries. The education process is of a particular importance in the process of reintegration of repatriated persons. Among the returnees there will be a large number of children and youngsters who have to continue their education. MEST should be ready to admit and systemize all pupils of all communities in all educational levels, in harmony with the legislation in power. MEST in a special manner will be committed to mandatory education where initially the pupils will enrol through informal procedures.

## **Chapter V - Strategic Framework**

The Government of Kosovo is committed in building of a democratic, safe and modern state with prosperity, towards achieving of western standards and progress. By giving importance to the repatriation process, in the sense of the influence into socio-economic life, reintegration of repatriated persons is one of the priorities of the political agenda.

### **V.1. Vision**

The Vision of the Reintegration Strategy is the successful and sustainable reintegration for repatriated persons, notwithstanding the form of return through the provision of assistance and support during the entire reintegration process.

## **V.2. Mission Statement**

The Mission Statement of the Reintegration Strategy is to provide conditions through the establishment of a full functioning and professional mechanism for the successful and sustainable reintegration of repatriated persons and guaranteeing full socio-economic integration for the citizens returned to Kosovo.

## **V.3. Objectives**

Strategic objectives will define the particular manner of actions for achieving the envisaged results and the awareness of the institutions and institutional mechanisms in the area of reintegration of repatriated persons. All objectives contain in itself the legal framework in the field of migration, readmission, repatriation and sustainable reintegration in line with bilateral agreements for readmission, international conventions and the EU acquis.

### **V.3.1. Strategic Objectives are:**

1. Strengthening of institutional capacities, installing of monitoring and evaluation system, and decentralization of competences.
2. Drafting and implementing of comprehensive policies at the local level in order to achieve sustainable reintegration.
3. Public awareness and social mobilization.

### **V.3.2. Specific objectives are:**

- 1. Strengthening of institutional capacities, installing of monitoring and evaluation system and decentralization of competences**
  - 1.1 Strengthening of institutional capacities and human resources;
  - 1.2 Functionality of monitoring and evaluation system (CMS);
  - 1.3 Strengthening of cooperation and coordination between relevant actors involved in the reintegration process;
  - 1.4 Strengthening of communication – exchange of information prior and after arrival;
  - 1.5 Decentralization of administrative competences and resources;
- 2. Drafting and implementing of comprehensive policies at local level in order to achieve sustainable reintegration**
  - 2.1 Development of reintegration policies at local level;
  - 2.2 Provision of guaranteed services;
  - 2.3 Socio-economic support for sustainable reintegration;
- 3. Public awareness and social mobilization**
  - 3.1 Informing of repatriated persons on the possibilities for benefits
  - 3.2 Organizing of public awareness campaigns;
  - 3.3 Involvement of the civil society in implementing of projects for a sustainable social mobilization.

## **Chapter VI - Reviewed Alternatives**

Strategic objectives are aiming towards the sustainable reintegration of repatriated persons in the Kosovo society by ensuring equal treatment for them. The Reintegration Strategy treats all important issues equally for repatriated persons, with particular focus on primary care for their life.

The Reintegration Strategy provides sufficient and sustainable alternatives for treating the problems of repatriated persons, which enables integration in many social areas.

Placing the rights of repatriated persons in the state level priorities clearly indicates the commitment of institutions for supporting the reintegrated persons during the process, whereas this Reintegration Strategy treats in an adequate way the process of reintegration of repatriated persons in our country.

Alternatives presented in the Reintegration Strategy, through objectives and sub-objectives, will impact on the life of repatriated persons for the following period by stimulating them to cooperate with all actors on their easier and sustainable reintegration.

Through the Reintegration Strategy and the Action Plan, it is aimed that within 5 years, and also afterwards if needed, to improve the situation of repatriated persons through activities that will be taken. Alternatives considered through this Reintegration Strategy, also provide an objective opportunity for improvement of the situation of repatriated persons and through this, to have positive impact with their contribution for social and economic development of the country.

## Chapter VII - Legal and Institutional Framework

### VII.1. Legal Framework

The procedures for readmission are regulated in the Law on Readmission and bilateral readmission agreement signed with EU MS and other countries. Law on Readmission is implemented to all countries with which the Republic of Kosovo has not signed bilateral agreements for readmission. Law on Readmission is in compliance with the Constitution and national legislation in power, as well with the EU acquis.

Kosovo is in the process of signing bilateral agreements for readmission with EU countries and other countries. Such agreements so far (until September 2013) are signed with 21 countries, including 16 EU Member States, three Schengen states and two Western Balkan States<sup>4</sup>. With three other countries the agreements are in the process of negotiating<sup>5</sup>, and with six countries are submitted initiatives through MFA where the answer by respective countries is pending<sup>6</sup>.

Existing agreements oblige contracting parties to readmit citizens of each other who do not fulfil anymore the conditions in power for entry or stay. They also specify forms that have to be filled in for applications for readmission and the content of provisions for time frames for requests, cost of readmission, and protection of data, prove of identity, and prove of entry and transit.

Reintegration procedures and the support and assistance to repatriated persons during the reintegration process are regulated by the Regulation on Reintegration of Repatriated Person and management of the Program.

Referring the laws applicable to the field of readmission and reintegration, all returnees who fall under the scope of *Reintegration Strategy* should enjoy equal treatment with the rest of

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<sup>4</sup>Austria, BENELUX states (with common agreement), Bulgaria, Czech Republic, Denmark, Finland, France, Germany, Hungary, Malta, Slovenia, Sweden, Estonia, Croatia, Norway, Switzerland, Principality of Lichtenstein, Albania and Montenegro.

<sup>5</sup>Latvia, Italy and Macedonia

<sup>6</sup>Ireland, Lithuania, Poland, Portugal, United Kingdom and Turkey.

other Kosovo citizens, which interlinks with the rights and obligations that are not specific for the return process.

Relevant legislation to the readmission and reintegration process are presented in Annex B.

## **VII.2. Relevant Institutions**

The Government of Republic of Kosovo will implement the Reintegration Strategy through central and local authorities described in this chapter.

### **VII.2.1. Central Level**

Ministries involved in the process of reintegration at central level are as following:

#### **1. Ministry of Internal Affairs (MIA)**

The MIA is responsible for drafting of reintegration policies in close cooperation with other line ministries. The MIA is responsible for:

- General development of policies, planning and orienting of reintegration of repatriated persons;
- Determination of legislative and budgetary measures for supporting the reintegration;
- Evaluation and monitoring of the implementation of the Reintegration Strategy;
- Informing relevant ministries regarding the situation and requirements of the reintegration of repatriated persons.

#### **Department for Reintegration of Repatriated Persons (DRRP)**

The DRRP is functioning within MIA, and it is the responsible body for the management of reintegration of repatriated persons.

The DRRP is responsible for:

- Drafting of policies and legislation relevant to reintegration and their monitoring and implementation;
- Preparation of guidelines on reintegration procedures and elaboration and issuing of guidelines for local authorities;
- Monitoring of the implementation of the reintegration program;
- Establishment of effective mechanisms for collecting, reporting and disseminating of information between the central and local administration;
- Preparation and dissemination of information material for municipalities and repatriated persons;
- Preparation of the overall training plan for municipal authorities in the area of reintegration;
- Cooperation and coordination with local and international organizations regarding reintegration of repatriated persons;
- Maintenance and advancement of the Case Management System (CMS); and
- Review of the requests under the competence of central level.

The reception of repatriated persons is organized through the officials located in the Reception Office in PIA and in all border crossing points, where they provide information to the repatriated persons on the possibilities of benefits, identify the emergency needs and provide transportation services in case of need. The coordination of reintegration process between the central and local level and the verification of cases in the field is done through regional coordinators in cooperation with respective municipalities.

#### **Centre for Temporary Shelter**

Centre for temporary shelter is managed by DRRP and it serves for sheltering of repatriated persons up to seven days; it also provides other basic services as food and medical treatment if necessary.

## **Central Commission for Reintegration (CCR)**

CCR is a decision-making body at the central level, which is comprised of representatives from MIA, MLSW, MESP, MoH, MAFRD and it decides on the requests of repatriated persons for benefiting from Reintegration program.

## **Commission for Appeals**

Commission for Appeals reviews and decides the appeals of repatriated persons against the decisions of CCR and MRC.

## **2. Ministry of Labour and Social Welfare (MLSW)**

The mission of the MLSW is to strengthen and create the space for a social welfare, involvement in employment and vocational training programs for all citizens in the situation of social needs. The responsibilities of the MLSW in the field of employment include formulation and implementation of active and passive market an policy, which create an access to the labour market, facilitate the transition into the labour market, contribute to a better compliance of the demands with the offers and helps the reintegration of vulnerable groups.

The employment and vocational training services are managed by the Department of Labour and Employment and implemented through the Employment offices and the Vocational training Centres.

The MLSW is also the institution at the central level of governance that deals with all issues regarding the social policies and pension schemes. The Department for Social and Family Policies and the Department for Pensions are responsible for the issues of social policies and pensions. In provision of social and family services the Centres for Social affairs have the main role and they are monitored by the Directorate for Health and Social Welfare as a part of Municipal responsibilities.

Based on the programs that the MLSW has and the obligations deriving from the Regulation for reintegration of repatriated persons, the MLSW will provide the following services:

- Support and creation of opportunities for access into the labour market, through active and passive policies of the labour market;
- Provision of trainings for repatriated persons, with the goal to prepare them for the labour market;
- Provision of social assistance and the payments from pension schemes, for all those who fulfil the requirements according to the legislation in power.
- Provision of services for children and their protection according to the protection forms, through Centres for Social affairs and engagement of NGOs in provision of services.
- Provision of services for sheltering of the victims of trafficking and domestic violence, through Centres for social affairs and contracted NGOs.
- Provision of services for the elderly and persons with disabilities and with light mental disorders.



MLSW is responsible for monitoring and implementation of these services in the reintegration process and will report on the progress and challenges in the implementation of the Reintegration Strategy and the Action plan.

### **3. Ministry of Environment and Spatial Planning (MESP)**

Ministry of Environment and Spatial Planning through the Department of Housing and Construction drafts legal, institutional and financial frameworks which will enable equal access to a suitable housing for all citizens, based on their financial capabilities and their social and health status.

Housing policies provide sustainable housing conditions for families or individuals who cannot afford market offers for the apartments due to their economic situation and also determination of the way of providing and using financial means for developing of special programs for housing in municipalities.

Provision of rented housing through programs determined by the law:

- Housing with not profitable rent and
- Housing with housing rent bonus

This will be realized through apartments constructed by the Municipality, Government, existing apartments in the ownership of natural persons or legal entities, that are given for rent; other apartments in the ownership of the municipality, that may be adopted or utilized according to special programs for housing.

### **4. Ministry of Health (MoH)**

The intention of the Ministry of health is to provide the legal basis for protecting and improving the health of citizens of Republic of Kosovo through promotion of health, preventive activities and provision of comprehensive and qualitative health care services. Ministry of health drafts policies and implements laws of a non-discriminative and accountable health care system.

The health care is organized and implemented in three levels; namely primary, secondary and tertiary. Municipalities are responsible for primary health care and for the assessment of the health situation in their territory. Primary health care is ensured and implemented within the framework of family medicine, in accordance with the sublegal act issued by the Ministry of health. According to the Law on Health, repatriated persons are released from co-payments in the first year after repatriation.

### **5. Ministry of Education, Science and Technology (MEST)**

The MEST has the special mandate and responsibility to ensure the basic conditions for education of repatriated persons. It is the obligation of the MEST, municipalities, educational institutions and all other bodies involved in providing pre-university education to provide for all children equal rights for education in accordance with their specific needs and abilities.

The educational process is of a special importance during the reintegration process of repatriated persons. Among the returnees there will be a large number of children and youngsters who need to continue their education. The MEST must be prepared to receive and systemize all students of all communities in all educational level, in harmony with national legislation in force.

The MEST will particularly focus on mandatory education where initially students will be enrolled in schools through informal procedures. In this direction, the MEST will draft brochures on reintegration of repatriated persons about the opportunities with all services available, in order to facilitate the enrolment of students in school institutions.

## **6. Ministry of Local Government Administration (MLGA)**

Assists in drafting policies and defining objectives for the implementation of the Reintegration Strategy and provides information to municipalities for updating the reintegration materials. The MLGA in cooperation with other line ministries assists in drafting of training plans and organizes training courses at the local level for reintegrating repatriated persons.

## **7. Ministry of Diaspora (MoD)**

Within its scope, the MoD drafts and implements policies and projects that are related to Diaspora. In the area of readmission and reintegration, the MoD serves as a bridging element for communication and coordination between members of the Diaspora and institutions of the Republic of Kosovo.

## **8. Ministry for Communities and Return (MCR)**

The main component of the MCR is the reintegration of persons with origin from Kosovo who are displaced in the territory of former Yugoslavia and within Kosovo. In the process of reintegration of repatriated persons, the Ministry for Communities and Return cooperates with the Ministry of Internal Affairs and other line ministries. The Ministry for Communities and Return maintains statistics related to displaced persons in the region (Serbia, Montenegro, Macedonia, and Bosnia and Herzegovina) or inside Kosovo as the result of the war of 1998 – 1999, and the persons displaced within Kosovo. The MCR maintains information for institutional frameworks, procedures of readmission and reintegration, procedures for assistance for displaced persons and the cooperation with other relevant actors.

## **9. Ministry of Finances (MF)**

The MF is the institution responsible for ensuring the increase of budget revenues, monitoring, overall monitoring and fair and transparent financial management of public funds, it has a key role in defining and implementing of financial and fiscal policies of the Government of Republic of Kosovo.

## **10. Ministry of Agriculture, Forestry and Rural Development (MAFRD)**

The MAFRD drafts and implements agro-rural policies with the purpose to provide employment opportunities and to generate revenues for inhabitants living in rural areas. The MAFRD gives important contribution in establishing of a suitable environment for rural and agricultural development by supporting directly farmers, agro-processing industry, watering infrastructure and local rural groups. Also repatriated persons living in rural areas are beneficiaries of these supporting policies. The MAFRD approximates national policies with EU Agricultural Common Policy (ACP) and it has established administrative structures such as the Agency for Agriculture Development, Department for Agricultural Policies (Managing Authority), Department of Agricultural Policies and Markets, Department of Counselling Services, Department for Economic Analyses and Agricultural Statistics for implementation of these policies.

## **VII.2.2. Local Level**

At the local level, benefits and assistance for supporting the reintegration are mainly organized as part of municipal services and other local services in close cooperation and coordination with local social welfare authorities, health care, employment, education, housing and other service providers. Each municipality will have Municipal Office for Communities and Returns (MOCR) and Municipal Reintegration Commission (MRC) according to competences defined by the Law on Local Self-governance.

### **(1) Municipal Office for Communities and Return (MOCR)**

At the local level, Office for Communities and Return (MOCR) is the main body for reintegration of repatriated persons. MOCR, in the process of reintegration of repatriated persons, has following responsibilities:

- To inform, assist and advise repatriated persons on opportunities and criteria of benefiting from Reintegration Program and for filling the requests;
- To receive and identify requests from repatriated persons;
- To assess preliminary needs and process the requests to MRC or to DRRP for decision-making;
- To implement, along with other actors, decisions from MRC and CRC;
- To support and monitor situation of repatriated persons in coordination with regional coordinators;
- To cooperate with regional coordinators and other local actors;
- To inform the repatriated persons on services that are provided by Employment Office and other municipal offices and to direct the persons to offices for further support and assistance;
- To collect and record information into the database;
- To report on regular bases to the Mayor of the municipality and Municipal Commission about the circumstances of the municipality in reintegration issues.

### **(2) Municipal Reintegration Commission (MRC)**

Municipal Reintegration Commission makes decisions on the requests submitted by repatriated persons for emergency benefits. MRC assesses relevant needs of repatriated persons regarding the access to civilian status registers, acquiring of civilian documents, education and enrolment in schools, psycho-social training in case it is needed and social assistance, housing and issuing of cadastral documents.

### **(3) Municipal directorates**

Municipal Directorates within the territory of respective municipality are responsible that within the competencies set with the legislation in power to provide assistance and support to repatriated persons during the reintegration process.

## **Chapter VIII - Implementation**

Drawing on existing governmental programs and the vision on improving lives of Kosovo's citizens in terms of sustainability and security as the purpose of further social and economic development, the Government introduces the Reintegration Program for supporting repatriated persons during their reintegration into Kosovo's society. Through the introduction of the Reintegration Program, the Government targets collective commitment as one of the main indicators for overall sustainable development of the country.

The persons of concern of the readmission process are persons who do not fulfil or do not anymore fulfil the conditions for entry or stay in the territory of the requesting/returning country and as a result of this are repatriated in Kosovo.

The reintegration process consists of the assistance and support for the repatriated persons in central and local level, starting from emergency assistance to the access to public services, and all of this has an aim to achieve a sustainable return.

### **VIII.1. Reintegration Program**

Drawing the attention on the existing Governmental programs and the vision on improving lives of Kosovo's citizens in the social and economic aspect, the Government introduces the reintegration program for assisting of repatriated persons during the reintegration process.

#### **VIII.1.1. Sustainability and social mobilization**

The reintegration program encompasses development as a broad multi-sectoral process to achieve and

Strengthen the vision expressed in the Reintegration Strategy. In the spirit of non-discrimination principle aiming to not stimulate the exclusion and the poverty there are required comprehensive social policies which act upon the principle of equality during the development of sectoral policies and distribution of financial means from the program like housing and living conditions, health issues, education, professional training and employment, as well as their gender and ethnic dimensions. It is also required that social mobilization is sustained through institutional means and in cooperation with the civil society.

#### **VIII.1.2. Decentralization of competences**

In order to trace the vision of the Reintegration Strategy and to vivify the reintegration program the Government has decided to decentralize power and resources to the local level and to give communities access and influence over issues that affect the daily lives. It represents an administrative transfer of the power and resources and empowering the municipal level in facing the reintegration competences.

Communities' effective participation is understood as a process of local governance and is to be considered an important development indicator, one which needs to be part of both, objective and subjective assessments of social welfare.

Further decentralization of competences will be done gradually, step by step, aiming to not endanger the process of supporting and assisting the repatriated persons. Initially during 2014 there will be functionalized and strengthened the municipal capacities as human and technical resources, the analyses of budget needs will be performed, to continue later with the delegation of competencies in three pilot municipalities during 2015. After the assessment and transfer of the best practices from three pilot municipalities during 2016 the transfer of competencies will be done in all Kosovo municipalities. During the decentralization process, the municipalities will be supported by central level bodies.

#### **VIII.1.3. Activities and initiatives**

To enhance this process of local governance the following improvements shall be considered:

- Social central and local policies that enable repatriated persons strengthening of negotiating power, as a group in sensitive condition.

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- Relevant legislation including sublegal acts for determination of competences of decision-making authorities and benefits, setting up reporting lines and legal assurance for each decision-maker involved in reintegration process.
- Preparation of standard operating procedures and guidelines for implementation of identified policies, according to the legislation to enable equal access of participation of communities in policies and procedures that are applied.
- Establishing of a mechanism that ensures avoidance of conflicts through an effective cooperation and coordination between all public institutions involved, which will realize regular meetings for exchanging of information between officials of central and local level, and also different levels of management.
- Functionalizing of the Case Management System.
- Counselling and information with the purpose of notification about regulations and changes.
- Continuous evaluation and monitoring which must be defined and structured, and where purposes, aims and indicators are included.

## **VIII.1.4. Support and Assistance**

The reintegration program provides support and assistance to repatriated persons in central and local level.

Assistance provided at the central level includes:

- Assistance upon arrival
- Transportation to the place of destination
- Temporary accommodation

Assistance provided at local level includes:

At the local level, assistance and support provided to repatriated persons is mainly organized as a part of municipal services in close cooperation and coordination with local authorities of social welfare, health care, employment, education, housing and other providers of public services.

Assistance and support in local level are divided in two categories:

- Assistance and support through public services
- Assistance and support through submitting of requests

The MOCR has a key role in ensuring access to assistance and support for repatriated persons during the reintegration process.

Assistance and support through public services covers following areas:

- Civil registration
- Acquiring personal documents
- Providing of housing
- Health treatment
- Social welfare
- Employment and professional training
- Education and additional classes
- Psycho-social treatment in case of need

Assistance and support through submitting of requests covers the following areas:

- Food and hygienic package

- Winter assistance package
- Furniture package
- Occasional assistance
- Housing through rent
- Medical treatment
- Renovation/reconstruction of houses
- Assistance for self-employment/establishing of business

## **VIII.2. Reintegration Fund**

The reintegration fund was established for the implementation of Reintegration program. Disbursement of sufficient funds are vital in order to ensure that initiatives will be adjusted to the demands and needs of repatriated persons in priority fields identified in the Reintegration Strategy and set out within the Legal and administrative framework. The aim of the reintegration fund is to support repatriated persons to resettle and sustainably reintegrate into the Kosovo society. Benefits from the Fund aim in providing of services and assistance for all repatriated persons, regardless their ethnicity, religion or gender.

As long as the Government has decided to transfer the administrative powers, resources and budget will be planned in annual municipality budgets. The cash transfer programs are not without problems. Targeting of needs requires a careful review and it is important to ensure sustainable financial resources for social policies.

Targeting of needs should be seen as an instrument for attaining coverage of basic services and not as a substitute for making the overall living. For the purpose of reintegration it requires a multi-sectoral and overall view of the entire process, what Municipalities due to their geographic distribution can not obtain. The reintegration fund is thus situated on central level and the financial means will be provided as a part of the state budget.

### **VIII.2.1. Financial envelop**

For the purpose of reaching the objectives of sustainable reintegration, the Government has allocated funds for repatriated Kosovo citizens:

- 2010: 500.000,- Euro
- 2011: 3,420.150,- Euro
- 2012: 3,170.000,- Euro
- 2013: 3,170.000,- Euro

The same amount as of 2012 and 2013 will be allocated to the MIA in the following years for the duration of the revised Action Plan. In order to achieve the desired effect, the program as a strategic tool of Government's social intervention does not only depend on the amount of resources devoted to them, but also depends on how these resources are allocated and managed.

### **VIII.2.2. Management of Fund**

The purpose of the Reintegration Fund is to serve as a social transfer program. The provision of services and assistance to the beneficiaries will be made by the decision-making bodies as laid down in the relevant legislation (decentralized administration), which means that municipalities the have to finance its services and benefits which they will provide after 12 months period of time until the full transfer of competences. The Action Plan sets out the proper cash flow process including standardisation of communication and a control mechanism for allocated funds.

The budget of the Fund is managed by MIA and is provided on yearly basis as part of the state budget and could vary based on development and trends which are to be regularly evaluated and analyzed. The management includes the overall responsibility for the financial means and its disbursement with particular consideration that parts of the Fund can be allocated for relevant ministries and municipalities to foster projects with civil participation as part of the social mobilization dimension. Beneficiaries of the projects must be repatriated persons.

The financial means shall be granted through benefits and assistance to repatriated persons, which requires clear legislation particularly in terms of definitions, procedures, needs assessments, maximum rates, and limit on expenses as well as termination of support. The evaluation of expenditures and processes should be performed in the initial phase of implementation on quarterly basis and in later stages as described in the Action Plan.

### **VIII.2.3. Case Management System (CMS)**

In order to settle a functioning management of reintegration issues hitting the objectives defined by the Strategy, the Government has decided to launch a Case management system, which is to be understood as the main steering tool for the overall management of the Reintegration program and the Fund.

Structured and planned activities for supporting reintegrated persons in each case are creating the basis for managing the Reintegration Program in its visionary and strategic aspects. Therefore it is necessary to clearly set out the normative, organizational and operational framework for the proper application of the Case management system.

- **Normative framework:** The level of service and benefits supply is based on norms, legal and administrative frameworks of the involved public institutions. Case management functions most effectively, when it is explicitly an element of labor market policy and social planning and thus normatively legitimated. The aim is to achieve a need-based social transfer system for repatriated persons, what requires a strong commitment of the Ministry for Labor and Social welfare in the Reintegration Program.
- **Organizational framework:** It is necessary to establish a clear, institutional mandate according to the Strategy, other relevant concepts, processes and means, but also a coordination- and cooperation mechanism for the services offered including the external dimension of cooperation.
- **Operational framework:** This level of case management focuses mainly on the supply management in direct cooperation with repatriated persons, it is practice-oriented and flexibly reacts to particular situations of the beneficiaries. Established procedures for needs assessment and defined procedural steps should be defined in the Action plan or other relevant documents. Case management is a cooperative process in which social supply matters and services are gathered, planned, implemented, coordinated, supervised and evaluated in order to make sure that individual support needs are covered within the existing system, resources and communication means.

CMS is an electronic system administrated by the MIA where all requests and other relevant data related to repatriated persons and their benefits are recorded, saved, processed and archived. Through the CMS the reintegration process of repatriated persons is completely managed from the moment of entry in Kosovo until closing of the case, according to procedures defined with the legislation in power. Data of repatriated persons are treated in harmony with Law on Protection of Personal Data.

CMS aims to:

- Ensure that each individual case is processed in a prompt, effective and efficient manner.
- Ensure transparency in the management of the fund.
- Ensure a unified and common database.
- Ensure coordination and facilitation of cooperation between all stakeholders
- Standardize vertical and horizontal communication lines and procedures.
- Promote coordination and cooperation with international parties and the civil society

CMS is a cooperative process where issues of supplies and social services are collected, planned, implemented, coordinated, observed and evaluated in order to ensure that the needs of individual support are fulfilled within the existing system, resources and means of communication.

The data system serves for recording of expenses in accordance with the Reintegration Program and Fund. The intention is that the system provides general information, to serve as supervising and evaluation mechanism in order to enable a better planning of budgetary activities and requirements and to improve the applicable policies.

The overall Case Management System requires a focused involvement of all defined institutions in all dimensions of relevant activities, as it is a combination of case and the system. It includes not only the institutional level of provision of services and benefits, but also the level of the direct work with repatriated persons.

Its implementation will enhance the efficiency and effectiveness of applicable social policies in overall and will ensure that each individual reintegration case is processed with efficiency and effectiveness. It will provide transparency of the management of fund and it will facilitate the cooperation in all levels.

## **Chapter IX - Monitoring and Evaluation**

The implementation process of the Reintegration Strategy will be a process of achievement of strategic and specific objectives and related activities. Monitoring and evaluation will serve to follow the implementation of the Reintegration Strategy, to measure the level of implementation of its objectives, particularly the implementation of the activities set out in the process.

Monitoring and evaluation shall be based on the indicators identified in the Reintegration Strategy and the Action Plan, including engagement with internal and external stakeholders, provide recommendations and timeframes for improving the policies, provide flexibility for possible internal or external developments, as well as strategic interventions to address them.

### **IX.1. Institutional structures for monitoring and evaluation**

A monitoring plan shall be developed for monitoring and evaluation of the Reintegration strategy, which consists of the external and internal monitoring and evaluation of the Reintegration Strategy and the Action Plan, and covering both quantitative and qualitative aspects while providing the monitoring of the evaluation of the content of the planned actions and the financial monitoring of the implementation (audit).



Case management System will serve as a tool for monitoring and evaluation, which will be updated with data, from all relevant actors, during the implementation of this Strategy.

The monitoring and evaluation plan describes tasks and responsibilities of all stakeholders, which are involved for achieving the objectives and implementing activities set in the Reintegration Strategy and in the Action Plan.

The MIA is the main responsible authority for the coordination and implementation of internal monitoring and evaluation in order to ensure a coherent and integrated reporting mechanism. Other stakeholders, both at governmental and local level, make available the necessary data and information, and prepare regular monitoring reports on their progress. The regular monitoring reports are done through standard forms for reporting elaborated by MIA/DRPR. Non-governmental organizations will participate in monitoring and evaluation of the Reintegration Strategy in joint round tables that will be organized by DRRP regularly.

## **IX. 2. Reporting mechanisms**

Internal monitoring and evaluation (including audit) shall be processed according to the existing legislative framework. Progress reports are forwarded regularly by the stakeholders both at central and municipality level to the MIA in the initial phases and in later stages as described by the Action Plan. External monitoring and evaluation is done every year in order to evaluate achieved objectives and goals with the intention of continuous improvement of implementation of the Strategy.

## **IX.3. Identification of indicators**

Monitoring and evaluation is carried out on the basis of the coherent system of effective input, output, outcome and impact indicators, which will be identified in the Action Plan for the specific actions which aiming to achieving the strategic objectives of the Reintegration Strategy. Indicators are identified in order to prove the impacts of the Reintegration Strategy on the socio-economic life of Kosovo, which aiming a sustainable system of reintegration of repatriated persons, and increasing the awareness of the society on the overall goal of the Reintegration Strategy.

## **IX.4. Dissemination of monitoring and evaluation results**

Dissemination of the results of monitoring and evaluation shall be implemented according to the monitoring and evaluation plan and assessment of all relevant actors.

## **Chapter X – Public Awareness and Information Campaigns**

The phenomena of irregular migration are predominantly related to trafficking of human beings and people smuggling and is among other transnational crimes a serious threat towards the perception of Kosovo and the entire region. Therefore, the Ministry of Internal affairs (MIA) will provide a public campaign to comprehensively inform all citizens about the risks and threats in the area of irregular migration.

Key objectives of the initiative are to provide comprehensive and timely information to all Kosovo citizens in order to build awareness of the risks and threats and potential legal consequences related to irregular migration and at the same time providing assistance towards legal procedures and ways for regular migration (i.e. business visits, Government's grants to study abroad, seasonal work, tourism etc.). Special importance will also be paid to the public awareness and social mobilization particularly information of repatriated persons on the possibility of support and assistance from the reintegration program.

## Annex A

### Definitions

#### For the purposes of this Strategy:

**Assistance** means services for supporting repatriated persons during the reintegration process and promoting of reintegration.

**Benefits** means measures for support from the reintegration program.

**Case Management System (CMS)** is the electronic system where information of repatriated persons and their benefits are processed, saved and archived

**Central Commission for Reintegration (CCR)** is the decision-making body comprised of representatives from relevant ministries

**Commission for Appeals** means the body where the first appeal against the decision issued by CCR or MRC may be logged referred to this regulation

**Coordination** means that the respective ministries, other authorities and actors support reintegration in an effective manner together as a whole.

**Involuntary Return** is the process whereby an individual is returned to Kosovo against their will on the grounds of their lack of legal right to stay in the host country, due to the fact that: they entered illegally or their stay permit has expired, their asylum request has been rejected conclusively, the international protection they enjoyed has been terminated or revoked or they have become persons non grata. Involuntary return may involve the implementation of coercive measures in order to enforce the execution of return.

**Management of reintegration in the central level** means actions of Ministry of Internal Affairs (MIA) and Department for Reintegration of Repatriated Persons (DRRP).

**Management of reintegration in the local level** means actions taken by Mayors, Municipal Office for Communities and Returns (MOCR) and Regional Coordinators.

**Mandatory Return** is understood as the process whereby an individual decides to return to Kosovo knowing that they have no legal right to stay in the host country and that they may be subjected to sanctions based on this (see also legal grounds applying for involuntary return).

**Municipal Reintegration Commission (MRC)** is the decision-making body comprised of representatives of relevant municipal services

**Program** is the reintegration Program for repatriated persons established by the Government.

**Readmission** is the process starting when the Division for Readmission (DCAM) receives notification from a third country intending to return an individual to Kosovo and requesting that the authorities confirm that the individual is originally from Kosovo. The Division for Readmission verifies the individual's personal details and accepts/reject the request and the

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process ends once the individual has arrived in Kosovo and has gone through border control procedures.

**Repatriation** is the act of returning to Kosovo performed by a Kosovo citizen or a person with Kosovo origin and it is applied to all types of return in cases when entering the territory of Kosovo through an official border crossing point.

**Repatriated person** means a Kosovo who, due to the lack of legal ground for residence in a foreign country, is readmitted in Kosovo.

**Reintegration** means re-inclusion of repatriated persons in the society of Kosovo and promoting of their economic, social and political conditions at a level of access to services, rights and opportunities that are equal to those of the rest of Kosovo citizens.

**Return** means the process of returning to Kosovo (voluntary, involuntary, mandatory) as a long and complex process that includes several components (readmission, repatriation, reintegration), relates to all areas (health, education, income generation, etc.) and spheres (personal, social, political) of an individual's life and ends once the individual achieves equal status with all Kosovo citizens in terms of access to rights and opportunities.

**Returnee** is a person originally from Kosovo who returns to Kosovo.

**Voluntary Return** is the process whereby an individual decides voluntarily to return to Kosovo.

**Vulnerable persons** means repatriated persons who are in need for special reintegration measures as a consequence of their reduced functional capacity due to the illness or limited abilities or as the consequence of their family condition, gender, age, illiteracy or similar reasons, or persons who have lack of adequate knowledge of official languages in Kosovo.

## ANNEX B - LEGAL FRAMEWORK FOR RE-INTEGRATION

### **I. The Republic of Kosovo has a wide legal basis in the field of re-integration as primary legislation may be mentioned but not limited to the following legislation:**

- Constitution of the Republic of Kosovo
- Law nr.04/L-215 for citizen of Kosovo,
- Law nr.04/L-217 on Asylum,
- Law nr.04/L-219 for Foreigners,
- Law nr. 03/L-208 for Readmission,
- Law nr. 04/L-003, on Civil Status,
- Law nr.02/L-121 Law on Dwelling and Emplacement
- Law nr.02/L-118 on Personal Name,
- Law nr.03/L-172 for Protection of Personal Data,
- Law nr.03/L-099 on Identity Card,
- Law nr.04/L-126 Law on Amending and Supplementing the Law No. 03/L-099 on Identity Card,
- Law nr.03/L-154 on Property and Other Real Rights,
- Law nr.03/164 on Financing Special Housing Programs,
- Law nr.2003/13 on Amending and supplementing the Law 2002/5 on the Establishment of the Register of Property Rights,
- Law nr.03/L-079 on amending UNMIK Regulation 2006/50 for the Resolution of Claims Relating to Private Property, including Agricultural and Commercial Property,
- Law nr.03/L-237 on Population and housing census
- Law no. 04/L-125 Health,
- Law no. 02/L-50 on Emergency Health Care,
- Law nr.04/L-096 on amending and supplementing the Law no. 2003/15 on Social Assistance Scheme in Kosovo,
- Law no. 03/L-212 of Labor,
- Law nr.04/L-054 on the Status and Rights of Martyrs, Disabled, Veterans, members of the Kosovo Liberation Army, Civilian Victims and Their Families,
- The Penal Code the Republic of Kosovo,
- Code of Penal Procedure,
- Law No.2003/23 on Pensions for Disabled Persons in Kosovo
- Law no. 2004/32 for Family in Kosovo
- Law nr.04/L-081 on amending and supplementing the Law no. 02/1-17 for Social and Family Services,
- Law no. 02/L-52 on Preschool Education,
- Law no. 02/L-78 on Public Health,
- Law no. 04/L-095 for Diaspora and Migration
- Law no. 04/L-032 for Undergraduate Education in the Republic of Kosovo,
- Law No.2004/37 on Inspection of Education in Kosovo,
- Law no. 03/L-068 on Education in Municipalities of the Republic of Kosovo,
- Law no. 02/L-42 for Vocational Education and Training,

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- Law no. 02/L-42 for Education and Professional Training,

## **II. As for secondary legislation for Reintegration are acts but not limited as following:**

- Regulation CCR nr.20/2013 for Reintegration of Repatriated Persons and Resettlement Management,
- Administrative Instruction and nr.11/2004 on Work and Criteria's of Placement of Residents in Houses Elderly Persons without Family Care,
- Administrative Instruction nr.12/2004 and Work and Placement of resident in Special Institution in Shtime,
- Administrative Instruction nr.09/2011 for the Implementation of the Readmission Law,
- Administrative Instruction nr.18/2010 for the content of the contract for nonprofit rental housing,
- Administrative Instruction nr. 19/2010 for the housing bonus content,
- Administrative Instruction nr.21/2010 for criteria of determining the order of priority for the categories of families that could benefit from the programs,
- Administrative Instruction nr.22/2010 for procedures to benefit from special housing programs,
- Administrative Instruction nr.23/2010 for procedures to declare the specific housing programs,
- Administrative Instruction nr.24/2010 for minimum rates of residential dwellings for specific housing programs,
- Administrative Instruction no. 02/2012 to late registrations with the Registry of Civil Status
- Administrative Instruction no. 03/2012 on the fundamental registration of civil status,
- Administrative Instruction nr.17/2010 Setting conditions and procedures to fulfill the strategy for reintegration of repatriated persons.
- Administrative Instruction for Education from MEST,
- Administrative Instruction nr.16/2003 for registration of students in the 10 grade coming from other countries,
- Administrative Instruction 1/2004 on equivalence and nostrification of documents in primary education and lower secondary education received in the state abroad,
- Administrative Instruction 50/2007 the implementation of the school curriculum in remedial classes in Albanian Diaspora.

## **III. There are also strategies to treat the issue of re-integration:**

- Revised Strategy for the Reintegration of Repatriated Persons, and the action plan,
- Strategy for RAE
- Strategy for Communities and Return
- National Strategy for Migration,
- National Strategy against Trafficking in Human Beings,
- Health Strategy of Kosovo,
- Strategy on Prevention of Incidents at School.

## **IV. Conventions and international laws applicable in the Republic of Kosovo, which affect the protection of reintegrated persons are:**

- Universal Declaration of Human Rights,
- Geneva Convention on the Protection of Refugees, 1951, and the Protocol of 1967
- New York Convention on Stateless Persons,
- UN Convention on the Elimination of All Forms of Discrimination against Women
- UN Convention against Torture and Other Cruel Treatment or Punishment, Inhuman and Degrading, 1984
- European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols,
- UN Convention on the Rights of the Child,
- International Convention on Civil and Political Rights and its Protocols.